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LISA M. GRIFFITH (LG 1020)
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A Professional Corporation
Attorneys for Defendants
SES Operating Corp., et al.
532 Broadhollow Road
Suite 142
Melville, NY 11747
631.293.4525

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LYDIA VELEZ,

Plaintiff,

-against-

SES OPERATING CORP., HARLEM EAST LIFE
PLAN, and HARLEM EAST LIFE PLAN-SES
CORP.,

Defendants.

Civil Action No. 07-CV-10946 (GEL)

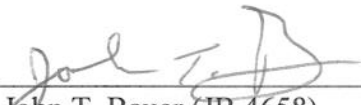
NOTICE OF MOTION

To: Richard Kubick, Esq.
7 East 14th Street
New York, New York 10003
212.684.7541

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all prior proceedings had herein, Defendants, by their attorneys Littler Mendelson, P.C., will move this Court, before the Honorable Gerard E. Lynch, United States District Judge, at the United States Courthouse located at 500 Pearl Street, Room 910, New York, New York 10008 on a date and time to be set by the Court, for an order: 1) granting Defendants' Motion to Amend the Answer, pursuant to Fed. R. Civ. Procedure 15, to add a defense that Plaintiff's intentional

tort claims are time-barred and to add a defense that Plaintiff's negligence claims are preempted by New York's Workers' Compensation Law; 2) granting Defendants' Motion For Partial Judgment on the Pleadings, pursuant to Fed. R. Civ. Procedure 12(c), by dismissing Plaintiff's causes of action under 42 U.S.C. §§ 1983, 1985 and 1986; Plaintiff's causes of action in negligence; Plaintiff's causes of action in intentional tort; and Plaintiff's breach of contract claims; and 3) granting Defendants such other and further relief, including costs and attorneys' fees, as this Court deems just and proper.

Date: May 14, 2008
Melville, New York



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AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)


LISA GRIFFITH, being duly sworn, deposes and says that she is over the age of eighteen years and is not a party in this proceeding; that on the 14th day of May, 2008, deponent served the within Notice of Motion upon

Richard Kubick, Esq.
7 East 14th Street
New York, NY 10003

the address designated for that purpose, by depositing a true copy of the same by mail, enclosed in a post paid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.


LISA GRIFFITH

Subscribed and sworn to before me
this 14th day of May, 2008.


Notary Public

MAUREEN WILLETT
Notary Public, State of New York
No. 4874655
Qualified in Nassau County
Commission Expires October 27, 20 10

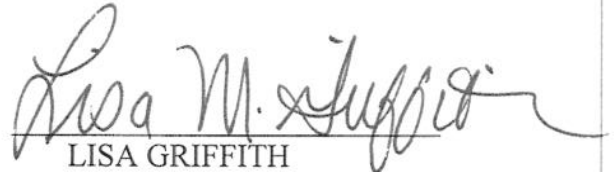
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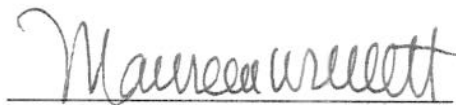
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LISA GRIFFITH

Subscribed and sworn to before me
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Notary Public

MAUREEN WILLETT
Notary Public, State of New York
No. 4874655
Qualified in Nassau County
Commission Expires October 27, 20 10